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**THE HARLESTON LAW FIRM, LLC**

909 Tall Pine Road ♦ Mt. Pleasant, South Carolina 29464 ♦ Phone: 843-971-9453 ♦ Fax: 843-971-9505

**FAX COVER SHEET**

**DATE:** February 9, 2006

**TO:** Examiner Sharmila S. Gollamudi  
Art Unit 1616, USPTO

**Fax:** 571-273-8300

**Voice:** 571-272-0614

**FROM:** Kathleen M. Harleston

**Fax:** 843-971-9505

**Voice:** 843-971-9453

**THIS IS PAGE ONE OF** 4.

**COMMENT:**

**Re: Pending Patent Application No. 10/612,517**

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PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/612,517	
	Filing Date	July 2, 2003	
	First Named Inventor	Marsella Jefferson	
	Art Unit	1616	
	Examiner Name	Sharmila S. Gollamudi	
Total Number of Pages in This Submission	3	Attorney Docket Number	1111

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Extension of Time <input type="checkbox"/> CD Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	The Harleston Law Firm, LLC	
Signature	<i>Kathleen M. Harleston</i>	
Printed name	Kathleen M. Harleston	
Date	February 9, 2006	Reg. No. 33,398

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature	<i>Kathleen M. Harleston</i>	
Typed or printed name	Kathleen M. Harleston	Date February 9, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No. 1111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of	)	Examiner: Sharmila S. Gollamudi
MARSELLA JEFFERSON	)	Art Unit: 1616
Application No. 10/612,517	)	
Filed July 2, 2003	)	
For Hair Treatment Compositions	)	

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction/Election Requirement interposed by the Examiner on January 10, 2006, Applicant elects with traverse I. Claims 1-15. The remaining claims, II. Claims 17-20, are believed to be held in abeyance until final disposition of the elected claims.

Applicants respectfully traverse this restriction requirement on the grounds that it is believed that examination of the two groups cited would not impose a serious burden on the Examiner. According to MPEP §803, there must be a serious burden on the Examiner if restriction is required. It is believed that the amount of searching for the two sets of claims listed on page 2 of the Office action would not be appreciably more than the search required for only one of the sets. According to MPEP §803, if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even if the claims are considered to describe independent or distinct inventions. Traversal is on this basis.

Application No. 10/612,517

Page 2

Applicant requests allowance of the claims.

Sincerely,

The Harleston Law Firm, LLC

By: Kathleen M. Harleston

Kathleen M. Harleston  
Attorney for Applicant  
Registration No. 33,398

Date: February 9, 2006

The Harleston Law Firm, LLC  
909 Tall Pine Road  
Mt. Pleasant, SC 29464  
(843)971-9453 Phone  
(843)971-9505 Fax  
kathleen@harlestonlawfirm.com

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